

Item # _____

Prepared By: Mike Swift

Approved By: Christy L. Kinard
Assistant County Attorney

ORDINANCE NO. _____

**ORDINANCE FIXING THE TAX RATE FOR SHELBY COUNTY FOR THE
YEAR 2009. SPONSORED BY COMMISSIONER J. W. GIBSON.**

WHEREAS, Tenn. Code Ann. Section 67-1-601 authorizes counties in Tennessee to impose taxes for county purposes, and to fix the rates thereof; and

WHEREAS, Pursuant to Tenn. Code Ann. Section 67-5-510, and the legislative authority set forth in § 2.01 of the Shelby County Charter, it is the duty of the Shelby County Board of Commissioners to set a tax rate for the year 2009 at this time; and

WHEREAS, In order to more prudently meet continuing capital costs regarding Shelby County Schools; and

WHEREAS, Tenn. Code Ann. Section 49-3-1005(b) provides that capital improvements to certain county school districts may be funded through bonded indebtedness paid solely from such district and devoted exclusively to the requirements of such district.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the TAX RATE FOR SHELBY COUNTY for 2009 be and the same is hereby fixed at \$4.06 for each One Hundred Dollars (\$100.00) of taxable real and personal property in the County, consisting of a \$4.02 countywide base tax rate with an additional \$.04 for areas outside the City of Memphis for all costs associated with the issuance and repayment of rural school bonds.

BE IT FURTHER ORDAINED, That the TAX RATE for property in Shelby County lying outside the boundaries of the Memphis City School District for 2009 be and the same is hereby fixed at \$4.06 for each One Hundred Dollars (\$100.00) of taxable real and personal property in that area.

BE IT FURTHER ORDAINED, That when the indebtedness, interest and costs of the rural school bond issue have been paid in full, the County shall cease to collect the tax levied herewith.

BE IT FURTHER ORDAINED, That said sum be allocated and apportioned to the various departments and functions of the County Government as follows:

COUNTY GENERAL FUND	\$ 1.23
SCHOOLS	1.98
DEBT SERVICE FUND	\$.81
DEBT SERVICE	
Rural School Bonds	<u>\$.04</u>
Total	<u>\$ 4.06</u>

BE IT FUTHER ORDAINED, That this Ordinance and the tax rate set forth herein shall not take effect until and unless the Board of County Commissioners adopts, by appropriate resolution, a County budget for the 2009-2010 fiscal year, but, in no event, shall the tax rate become effective before the fifteenth day after the passage of this Ordinance in accordance with § 2.06(C)(4) of the Shelby County Charter.

BE IT FURTHER ORDAINED, That the various sections of this Ordinance are severable, and that any portion declared unlawful shall not affect the remaining portions.

Chairman of County Commission

A C WHARTON, JR., County Mayor

Date: _____

ATTEST:

Clerk of County Commission

First Reading: _____

Second Reading: _____

Adopted Third
Reading: _____